

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

DAVID ESTRADA,)	
)	
Plaintiff,)	
)	
v.)	Case No. : CIV-21-138-JD
)	
BILL DAVIS TRUCKING, INC.)	
IAT INSURANCE GROUP; and)	
ROGER LYNN CANARD, an individual,)	
)	
Defendants.)	Removed from Okla. Dist. Ct. Okla. County, CJ-2021-269

NOTICE OF REMOVAL

Defendants, Bill Davis Trucking, Inc., IAT Insurance Group, and Roger Lynn Canard, file this Notice of Removal as follows:

1. Defendants desire to exercise their right under the provisions of 28 U.S.C. §1441, *et seq.*, to remove this action from the Oklahoma District Court of Oklahoma County in which said cause now is pending under the name and style *David Estrada v. Bill Davis Trucking, Inc., IAT Insurance Group, and Roger Lynn Canard, CJ-2021-269*.

2. The above-described action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. §1332 and is one which may be removed to this Court by the Petitioners, Defendants herein, pursuant to the provisions of 28 U.S.C. §1441, in that it is a civil action wherein the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs and is between a Plaintiff and Defendants which are citizens of different states.

3. This action was initially filed on January 21, 2021. Service of process was made January 25, 2021 on Bill Davis Trucking, Inc. Service of process was also made on January 26, 2021 upon Roger Canard and upon IAT Insurance Group on January 26, 2021. In accordance with 28 U.S.C. §1446(b), this removal is being timely filed.

4. The Plaintiff, David Estrada, is a citizen of Oklahoma.

5. Defendant, Bill Davis Trucking, Inc., is an Arkansas corporation with its principal place of business in Arkansas.

6. Defendant, Roger Lynn Canard, is a citizen of Arkansas.

7. Defendant, IAT Insurance Group, is a North Carolina corporation with its principal place of business in North Carolina.

8. Pursuant to 28 U.S.C. §1446(a) and LCvR 81.1, Defendants attach herewith clearly legible copies of the following documents:

- i. State Court Docket Sheet (Exhibit 1);
- ii. 01/25/2021 - Petition (Exhibit 2);
- iii. 02/11/2021 - Summons and Return of Service for IAT Insurance Group (Exhibit 3);
- iv. 02/11/2021 - Summons and Return of Service for Roger Lynn Canard (Exhibit 4);
- v. 02/12/2021 – Entry of Appearance of James Dobbs For Defendants (Exhibit 5).

9. For the foregoing reasons and premises, Defendants desire and are entitled to have this cause removed from the District Court of Oklahoma County, Oklahoma, to the United States District Court for the Western District of Oklahoma, such being the district where said suit is pending.

10. Written notice of the filing of this Notice of Removal will be given to adverse parties as required by law.

11. A true copy of this Notice of Removal will be filed with the District Court of Oklahoma County, State of Oklahoma, as provided by law.

WHEREFORE, Defendants, Bill Davis Trucking, Inc., IAT Insurance Group, and Roger Lynn Canard, pray that this action be removed to this Court, and this action be placed on the docket of this Court for further proceedings, the same as though this action originally had been instituted in this Court.

Respectfully submitted,

/s/ James W. Dobbs
James W. Dobbs, OBA No. 14995
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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of February, 2021, a true and correct copy of the foregoing document was mailed by U.S. Mail with proper postage prepaid thereon and via email to the following parties of interest:

Michael D. Denton, Jr.
Austin C. Walters
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ATTORNEYS FOR PLAINTIFF

/s/ James W. Dobbs